

REMARKS

The Office Action dated November 26, 2003 has been read and carefully considered and the present amendment submitted to make certain clarification to the claim language.

In that Office Action, claims 7-12 were rejected under 35 U.S.C. 103(a) as being unpatentable over Satchell Jr. et al, U.S. Patent 5,822,216 in view of Peters, U.S. Patent 5,769,269.

According, claim 7 has further been amended to better define the invention over the cited references. In particular, the expression "wherein" has been shifted further ahead in the claim, leaving within the preamble the features of the present system that are already known: the automatic vending machine; while the features of the present system that are not known, i.e. the service module (which is coupled to the automatic vending machine) follow the "wherein" expression.

In addition, the service module is now defined to be coupled to the vending machine and support for that amendment is found in the specification (see, for example, page 4, line 20 et seq: "the system of the invention comprising the inclusion in an automatic machine of a module that has operating means of one or various services"; or page 5, beginning at line 35: "starting with a conventional vending machine (1), the same can include a service to be rendered, being in this case, a telephone service, by means of the inclusion of a telephone module (21)").

The service selection pushbutton (originally mentioned within the elements present on the automatic vending machine) has been relocated later in the claim language and is described to be arranged on a location selected from the automatic vending machine and the service module. That amendment is also supported in the

specification (see, for example, page 9, line 33 et seq "In this way, the service designation button or push button can be arranged in relation to the product selection keyboard (button or push button (4)), or else it may be in relation to the telephone module (21) (button or push button (16))", where the telephone module corresponds to the service module in this particular embodiment, whereas the product selection keyboard obviously refers to the automatic vending machine).

The transfer of the payment from the first display (automatic vending machine) to the second display (service module) when the service option is selected is said to be accomplished by means of the service selection pushbutton selected from the automatic vending machine and the service module, in accordance with the prior explanation with respect to the above amendment. This amendment is supported in the specification (see for example the paragraph beginning at line 8 of page 5 "On the other hand, the service module itself can include a service selection and designation of the payment means button from the display of the machine to the display of the service module, the part corresponding to the vending machine being free to normally dispense products"; or the paragraph beginning on page 6, line 28 "The machine includes a second display (7), corresponding to the service that the machine renders, to which the inserted amount will pass when the user selects the service to be rendered thereby"; or the paragraph beginning on page 8, line 15 "If the user wishes to use the service rendered by the machine (1), the machine will operate in the following manner: once the payment means has been chosen, the button or push button will be actuated in order to use the selected service, the display (7) designating the chosen payment means of the service to be used.").

Finally, at the end of claim 7 the following explanation has been appended: "the automatic vending machine being enabled to sell products while the service module renders a service, by means of

said assignation of the payment means from the first display to the second display, via the service selection pushbutton". That additional language is supported in the specification (see, for example, the paragraphs beginning on page 5, at line 8 "On the other hand, the service module itself can include a service selection and designation of the payment means button from the display of the machine to the display of the service module, the part corresponding to the vending machine being free to normally dispense products. The automatic machine can operate simultaneously rendering the service included in the module thereof and the dispensing of the requested product, in other words, the machine carries out the functions of rendering a service and dispensing goods without interfering with each other."); or the paragraph beginning at line 32 of page 6, "Furthermore, the machine can operate simultaneously rendering a service and dispensing goods, whereby when the user is using the service that the machine has, a second user can request a product of those that the automatic vending machine dispenses"; or the paragraph beginning at line 5 of page 11: "When a telephone call is made, a second user can use the machine (1) like a conventional vending machine, making the desired purchase of a pack of cigarettes, beverage or any product that the machine dispenses without affecting the service that is being rendered").

Turning now to the cited references of Satchell, Jr. et al and Peters, it is submitted that the references alone, or in combination, do not render the claim 7 invention as obvious.

Neither of the cited documents discloses a service module that could be easily coupled to an already existing automatic (product) vending machine, forming the claimed combined system, by simply interfacing both elements (the already existing automatic (product) vending machine, and the service module coupled to it) with a pushbutton transferring the control of the payment from the already existing automatic (product) vending machine to the service module coupled to it.

That transfer of the control has the advantage of releasing of any duty the automatic (product) vending machine, which can be re-used by a second user to obtain products from the automatic vending machine, simultaneously and independently while the first user is still obtaining the service rendered by the service module, once the control of the combined system has been transferred from the automatic (product) vending machine to the service module, by means of a service selection pushbutton.

In the case of establishments, shops, facilities or the like already being provided with an automatic (product) vending machine and desiring also provide services, it is much cheaper (and therefore advantageous) to couple a service module to said already existent automatic (product) vending machine forming the combined system claimed in the present application, than buying a new entire physically independent automatic service vending machine (with all the hardware, controls, cash checking-storing-management systems, etc.).

In the case of establishments, shops, facilities or the like lacking of any automatic (product) vending machine as well as lacking of an automatic service vending machine, at a first sight it could seem interesting to buy a unique machine able to provide both products and services (as it is the case of the apparatuses of Satchell or Peters), but products and services could not be obtained simultaneously by two users (which is a disadvantage with regard to the claimed combined system) unless said machines had duplicated all the hardware, controls, cash checking-storing-management systems, etc, which would be again less cheaper than the combined system claimed in the present application (since it does not require duplication of all the components).

It is submitted that all these advantages derived from inventing a system combining an already existent automatic

(product) vending machine with a service module is sufficient to meet the criteria of patentability over the cited references.

Nevertheless Applicant would also like to make some comments regarding the possibility of simultaneous operation of products and services in the apparatuses disclosed by Satchell and Peters.

Applicant agrees with the Examiner's contention in the Official Action that Satchell fails to teach about operating simultaneously products and services: (see Satchell, col. 4, lines 1-28: where it says that after the customer has purchased a product (e.g. a drink), the computer is automatically activated to be operated by the (same) customer (e.g. the computer automatically connecting to a pre-programmed web site belonging to the manufacturer of the item purchased (the drink), e.g. for advertising).

This is a second event (the internet connection) triggered by a first event (purchase of a product) and for the same user, which significantly differs from two users using product and services simultaneously.

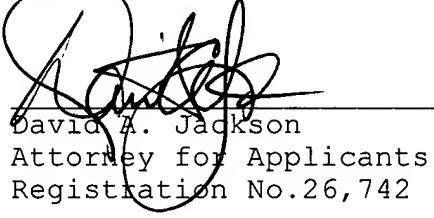
In the present Office Action the Examiner has stated that Peters discloses a machine that enables the simultaneous use of products and services and cited (Figs. 7A-8B; col. 17-line 51 through col. 18-line 59). Applicant has reviewed that portion of text (as well as the rest of the document) and although it explains different arrangements for selling products or services, Applicant has not found explicitly nor implicitly any mention to render products and services simultaneously by two different users. (Not simultaneously, and not by two different users).

Thus, with the aforescribed amendments to claim 7, (expressing that the service module is to be coupled to the automatic (product) vending machine, and regarding that the combined system is enabled to allow the simultaneous use of the

automatic (product) vending machine as well as the service module), it is clear that none of the documents cited (neither in combination, nor taken alone) disclose all the characteristics disclosed in independent claim 7 of the present application, and the differentiating features contained in claim 7 are submitted, as herein explained, to be inventive and non-obvious.

Accordingly, it is submitted that the claims in the present application are all in allowable form and an allowance of the present application is respectfully solicited.

Respectfully submitted,



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